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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,811	05/27/2005	Johannes Petrus Maria Ansems	NL 021212	7961
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510				
			EXAMINER	
			BREVAL, ELMITO	
			ART UNIT	PAPER NUMBER
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			01/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/536,811	Applicant(s) ANSEMS ET AL.	
	Examiner Elmito Breval	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 11/15/2006/05/27/2005.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The amendment filed on 05/27/2005, has been entered.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the examiner is unable to find the light absorbing layer 9 as claimed in the specification. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricx et al., (hereinafter "Hendricx")(US. Pat: 6,404,129).

Regarding claim 1, Hendricx discloses a vehicle headlamp provided with a metal halide lamp comprising: a discharge vessel surrounded with clearance by an outer envelope and having a ceramic wall which encloses a discharge space containing xenon (Xe) and an ionizable filling, wherein in said discharge space two electrodes are

arranged whose tips have a mutual interspacing EA so as to define a discharge path between them, wherein the discharge vessel has an internal diameter Di at least over the distance EA, and wherein Di is smaller than or equal to 2 mm and the relation EA/Di is smaller than 6, characterized in that said vehicle head lamp has not more than one band-shaped light-absorbing coating (51; col. 2, lines 60-63) laterally of the discharge path (figs 1, and 2; abstract).

However, Hendricx discloses more than one band-shape light absorbing coating. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a one band-shape light absorbing coating instead of two in order to minimize the material cost and to decrease the size of the device.

Regarding claim 2, Hendricx discloses the vehicle headlamp according to claim 1, wherein the band-shaped light-absorbing coating is provided on the outer side of the ceramic wall of the discharge vessel (41 and 51, fig. 2).

Regarding claim 3, Hendricx further discloses (in at least fig. 2) the vehicle headlamp according to claim 1, wherein the band-shaped light-absorbing coating (41, 51) is provided on the inner side of the outer envelope (1).

Regarding claim 4, Hendricx discloses the vehicle headlamp according to claim 1, wherein the band-shaped light-absorbing coating is provided on the outer side of the outer envelope (fig. 2).

Regarding claim 5, Hendricx discloses the vehicle headlamp according to claim 1, wherein the band-shaped light-absorbing coating is located underneath a horizontal plane along a central axis of the metal lamp during operation, while an edge of the

band-shaped light absorbing coating directed towards said horizontal plane and the horizontal plane itself enclose an angle of substantially 15 degrees with one another (figs. 1 and 2).

Regarding claim 7, Hendricx discloses the vehicle headlamp according to claim 1, wherein the discharge vessel has a circumferential clearance inside the outer envelope of at most 5 mm (col. 4, lines 27-28).

Regarding claim 9, Hendricx further discloses the vehicle headlamp according to claim 1, wherein the band-shape light absorbing coating has a profile shape (fig. 2, coating 41 and 51).

Regarding claim 11, Hendricx discloses a metal halide lamp to be used in a vehicle headlamp according to claim 1 (figs. 1 and 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricx et al., (hereinafter "Hendricx")(US. Pat: 6,404,129) in view of Parham et al. (hereinafter "Parham")(5,587,626).

Regarding claim 8, Hendricx discloses the vehicle headlamp according to claim 1, but fails to explicitly disclose the outer envelope is conically shaped and wherein the

band-shaped light absorbing coating- seen from a lamp cap supported by the outer envelope extends in outward direction away from the discharge vessel.

However, Parham teaches a lamp wherein the outer envelope is conically shaped and wherein the band-shaped light absorbing coating- seen from a lamp cap supported by the outer envelope extends in outward direction away from the discharge vessel (fig. 14) in order to increase uniformity of the central light spot and to increase brightness.

Given the teaching of Parham, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the conically shape envelope as taught by Parham in order to increase uniformity of the central light spot and to increase brightness.

Regarding claim 10, Hendricx discloses the vehicle headlamp according to claim 1, but fails to disclose a central axis of the metal halide lamp is located at a distance above an optical axis of a reflector present in the headlamp during operation, said distance varying between 0.1 and 0.9 mm, being in particular 0.5 mm, more in particular 0.45 mm.

However, Parham teaches (in at least fig. 14) a headlamp wherein a central axis of the metal halide lamp is located at a distance above an optical axis of a reflector present in the headlamp during operation, said distance varying between 0.1 and 0.9 mm, being in particular 0.5 mm, more in particular 0.45 mm in order to increase brightness.

Given the teaching of Parham, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lamp of Hendricx with a central axis located at a distance above the optical axis as taught by Parham in order to increase brightness.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricx et al., (hereinafter "Hendricx")(US. Pat: 6,404,129) as applied to claim 1 and 5 above, and further in view of Scholler et al., (hereinafter "Scholler")(US. Patent: 5,646,471).

Regarding claim 6, Hendricx discloses the vehicle headlamp according to claim 1, but fails to explicitly disclose the band-shaped light-absorbing coating is located underneath a horizontal plane along a central axis of the metal lamp during operation, while an edge of the band-shaped light absorbing coating directed towards said horizontal plane and the horizontal plane itself enclose an angle of substantially 15 and 55 degrees with one another.

However, Scholler teaches a lamp wherein the band-shaped light-absorbing coating is located underneath a horizontal plane along a central axis of the metal lamp during operation, while an edge of the band-shaped light absorbing coating directed towards said horizontal plane and the horizontal plane itself enclose an angle of substantially 15 to 55 degrees with one another (fig.2; col. 2, line 20-21) in order to improve brightness of the lamp.

Given the teaching of Scholler, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the light absorbing coating


as taught by Scholler into the device of Hendricx in order to improve the brightness of the lamp.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elmito Breval whose telephone number is 571-270-3099. The examiner can normally be reached on M-F (8:30 AM-5:00 Pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571)-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


December 14, 2007
Examiner
Elmito Breval


MARICELI SANTIAGO
PRIMARY EXAMINER